

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: St. Paul

FILE NUMBER: 05-1294-TJF

REGULATORY PROJECT MANAGER: Tim Fell

Date:

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) 10 March 2005

Date:

At the project site (Y/N)

Date:

PROJECT LOCATION INFORMATION:

State: Minnesota

County: Ramsey

Center coordinates of site by latitude & longitude coordinates: Lat/Long NESW 8, T29N, R23W

Approximate size of site/property (including uplands) in acres 10 acres

Name or waterway of watershed: Pond FP-6

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond			X						
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved X

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): The site contains office buildings, parking lots, green space and a wetland pond area. Historical maps and photographs indicate that a small depressional wetland existed on the site before the area was developed. The topography

indicates that there was no natural outlet to this depression. As the site developed and adjacent roadways were enlarged more runoff was directed into the basin. The basin is now a deep water pond about 3 to 4 acres in size with a manual lift station that pumps water into a storm sewer system. Only at high water conditions is the pump/lift station manually operated. There is no public boating access to the pond, nor does it appear that the pond is used in any interstate commercial operations.